

CLAIM REJECTIONS - 35 U.S.C. § 102

Claims 16, 17, 20, 21, 23, 24 and 25 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Weismann et al., U.S. Pat. No. 5,647,351. Under § 102(e), the Weismann '351 patent is effective prior art only as of its U.S. filing date, namely September 7, 1995. The foreign priority date of Weismann '351 under 35 U.S.C. 119(a)-(d) cannot be used to antedate Applicant's application filing date -- see MPEP 2136.03, p. 2100-73 Feb. 2000. As the Examiner has acknowledged, Applicant has claimed and continues to claim foreign priority under 35 U.S.C. 119(a)-(d) so as to obtain benefit of the filing date of the parent French Application No. 94/10839, namely September 12, 1994. Therefore, Weismann '351 does not qualify as anticipatory prior art under § 102(e). Consequently, Applicant respectfully requests that the rejection under § 102 be withdrawn.

CLAIM REJECTIONS - 35 U.S.C. § 103

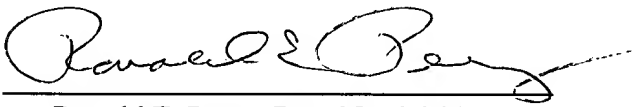
Claims 18, 19 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Weismann '351 in view of Sullivan et al., U.S. Pat. No. 5,522,382. As discussed previously in this Response, Weismann '351 is not prior art to the present application, and therefore cannot be combined with Sullivan '382 to render Applicant's claims unpatentable. Consequently, Applicant respectfully requests that the rejection under § 103 be withdrawn.

CONCLUSION

In view of the foregoing, Applicant respectfully submits that claims 16-26 are in condition for allowance, and that the application should be passed to issue. The Examiner is encouraged to contact the undersigned should there be any questions or resolvable matters regarding this application.

Respectfully submitted,

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